

per diem Instructor, Assistant Sales Representative, and Senior Account Administrator. The appellant was credited with seven months of experience in the first position, and was found to be lacking four years, five months of applicable experience.

On appeal, the appellant states that he is a provisional in the subject title and has utilized his leadership and managerial skills to organize staff, increase property sales, increase evaluations of prospective development, and raise overall revenues. He provides a list of duties for his provisional position as well as his Real Estate Manager position

CONCLUSION

N.J.A.C. 4A:4-2.6(a) provides that applicants shall meet all requirements specified in the promotional examination announcement by the closing date.

Agency Services correctly determined that the appellant was not eligible for the subject examination. The appellant was credited with seven months in his provisional position. In this case, there is no claim of out-of-title work, and the appellant's duties as a Real Estate Manager were not out-of-title. While the duties of that position were related, qualifying experience must have as its primary focus the duties and responsibilities required for the title under test. As a Real Estate Manager, the appellant was: assessing, inspecting and cataloging properties for disposition and acquisition; supervising a property inspection team; supervising rental and lease agreements; supervising maintenance of, and paying utilities for city owned properties; negotiating and drafting property acquisitions, and rental and lease agreements; supervising property disposition including sales and auctions; supervising components of real estate transactions; assisting in budgetary matters; preparing weekly reports and updating logs; coordinating projects; acting as liaison; and performing as a property management troubleshooter.

The Real Estate Manager is responsible for real estate activities involved in the acquisition, disposition, and management of municipal owned or leased properties. The appellant's duties fall squarely within this definition, therefore are not considered to be administrative experience in the planning, development, and management of a large scale land acquisition, real estate, and community development program, including urban planning and urban renewal activities. Rather this position carried out some of the objectives of a development and management plan. The appellant's remaining experience is inapplicable. As such, the appellant was appropriately found to be lacking four years, five months of required experience.

An independent review of all material presented indicates that the decision of Agency Services that the appellant did not meet the announced requirements for

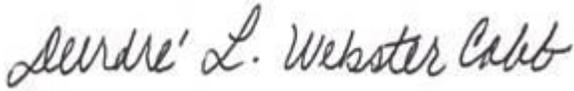
eligibility by the closing date is amply supported by the record. The appellant provides no basis to disturb this decision. Thus, the appellant has failed to support his burden of proof in this matter.

ORDER

Therefore, it is ordered that this appeal be denied

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON
THE 2ND DAY OF SEPTEMBER 2020



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